

## Message Text

CONFIDENTIAL

PAGE 01 VIENTI 00368 01 OF 02 231044Z  
ACTION EA-12

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-05 H-01  
INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15  
USIA-06 IO-13 OMB-01 CPR-01 /088 W  
-----100701 231048Z /11

P R 230950Z MAR 78  
FM AMEMBASSY VIENTIANE  
TO SECSTATE WASHDC PRIORITY 9134  
INFO AMEMBASSY BANGKOK  
AMCONSUL HONG KONG  
AMEMBASSY PARIS  
AMCONSUL UDORN  
CINCPAC

C O N F I D E N T I A L SECTION 1 OF 2 VIENTIANE 0368

BANGKOK ALSO PASS UDORN ELECTRICALLY

CINCPAC FOR POLAD

E.O. 11652: GDS  
TAGS: OTRA PEPR PDIP PBOR LA US  
SUBJECT: PROTEST OF LPDR CLOSURE OF MEKONG RIVER CROSSINGS

REF: STATE 72601 NOTAL

SUMMARY: VIENTIANE'S DIPLOMATIC CORPS IS DIVIDED ON  
THE SUBJECT OF PROTESTING THE LATEST LAO TRAVEL RESTRIC-  
TIONS. WE AND THE AUSTRALIANS ARE AT ONE END OF THE  
SPECTRUM, WHILE OUR "SOCIALIST" COLLEAGUES SEEM UN-  
WILLING TO TAKE ANY ACTION. WE HAVE ACCORDINGLY GONE  
AHEAD WITH A BILATERAL PROTEST NOTE USING ARGUMENTATION  
AND LANGUAGE FROM THE DEPARTMENT'S REFTEL. END SUMMARY.

1. INFORMAL SOUNDINGS WITH OUR DIPLOMATIC COLLEAGUES  
HERE IN VIENTIANE INDICATE THAT THE AUSTRALIANS WILL  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 VIENTI 00368 01 OF 02 231044Z

PROTEST THE NEW LAO TRAVEL RESTRICTIONS BUT ARE STILL  
WORKING OUT THE EXACT WORDING AND LEGAL FORMULATIONS.  
THE BRITISH WILL PROBABLY PROTEST, BUT ARE AWAITING  
INSTRUCTIONS, AS ARE THE FRENCH. THE INDONESIANS ARE  
HANGING BACK, AS ARE THE BURMESE AND THE MALAYS. THE  
THAIS ARE NOT AFFECTED BY THEE NEW RESTRICTIONS.

2. THE COMMUNIST EMBASSIES IN VIENTIANE WERE TAKING A VERY VIGOROUS INFORMAL POSITION LAST FRIDAY (MARCH 17) WHEN THE RESTRICTIONS WERE STILL IN THE RUMOR STAGE. THE SOVIET AMBASSADOR WAS PARTICULARLY INCENSED AND IS REPORTED TO HAVE SAID THAT THE RUMORED RESTRICTIONS WERE IMPROPER, ONEROUS, AND WOULD HAVE TO BE PROTESTED. WE UNDERSTAND THE EASTERN EUROPEANS WERE OF THE SAME OPINION. HOWEVER, WHEN WE QUERIED THE RUSSIAN AMBASSADOR AT AN AIRPORT DEPARTURE CEREMONY MARCH 22, HE SAID THAT HE HAD NO OBJECTION AT ALL TO THE NEW RESTRICTIONS, THE LAO HAD A PERFECT RIGHT TO IMPOSE THEM, AND HE WOULD BE MAKING NO PROTEST. WE ASSUME THAT HIS COMMUNIST ASSOCIATES WILL FALL INTO STEP BEHIND HIM.

3. THE RUMOR HERE IN VIENTIANE IS THAT THE VIETNAMESE PREVAILED UPON THE SOVIETS TO CHANGE THEIR TUNE. THE VIETNAMESE OF COURSE BELIEVE IT TO BE IN THEIR INTEREST TO TURN LAOS AS MUCH AS POSSIBLE AWAY FROM THAILAND TOWARD THE SRV. THE SOVIETS IN TURN ARE ANXIOUS TO MAINTAIN THEIR CLOSE RELATIONSHIP WITH THE VIETNAMESE AND WITH THE LAO IN ORDER TO MAINTAIN THEIR POSITION IN SOUTHEAST ASIA TO THE REAR OF THE CHINESE. AS A PRACTICAL MATTER, THE COMMUNIST EMBASSIES ARE NOT AS SERIOUSLY AFFECTED BY THE NEW RULES AS OUR WESTERN COLLEAGUES SINCE THEY (THE COMMUNISTS) TEND TO BE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 VIENTI 00368 01 OF 02 231044Z

ORIENTED FOR SUPPORT AND COMMUNICATIONS TOWARD HANOI AND RANGOON RATHER THAN BANGKOK. SOME COMMUNIST PERSONNEL, HOWEVER, ARE KNOWN TO ENJOY VISITING AND SHOPPING IN NONG KHAI AND UDORN.

4. THE DEAN, THE PHILIPPINE AMBASSADOR, HAS BEEN OUT OF THE COUNTRY AND IS DUE TO RETURN TODAY (MARCH 23). HIS DEPUTY SAID THAT HE WOULD CALL A MEETING OF THE CORPS ON MARCH 24 TO DISCUSS THE ISSUE. HOWEVER, WE DOUBT VERY MUCH THAT HE WILL PROVIDE VIGOROUS LEADERSHIP TO AN AGGRIEVED BUT DIVIDED CORPS.

5. IN VIEW OF THIS CONFUSED AND LEADERLESS SITUATION, WE HAVE DECIDED TO TAKE ADVANTAGE OF THE AUTHORITY GRANTED US BY THE DEPARTMENT TO MAKE A BILATERAL PROTEST TO THE LAO (REFTEL). THE FOLLOWING NOTE DATED MARCH 22 WAS ACCORDINGLY DELIVERED TOGETHER WITH AN UNOFFICIAL FRENCH TRANSLATION TO THE LAO FOREIGN MINISTRY ON MARCH 23:

6. (BEGIN UNCLASSIFIED TEXT) THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS COMPLIMENTS TO

THE MINISTRY OF FOREIGN AFFAIRS OF THE LAO PEOPLES' DEMOCRATIC REPUBLIC AND HAS THE HONOR TO REFER TO THE MINISTRY'S NOTE NO. 04/AE-AC-2 OF MARCH 18, 1978, PLACING RESTRICTIONS ON THE MOVEMENTS OF DIPLOMATS. THE EMBASSY ALSO HAS THE HONOR TO REFER TO THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS DONE AT VIENNA APRIL 18, 1961.

THE EMBASSY WOULD LIKE TO POINT OUT THAT THE NEW RESTRICTIONS ON THE MOVEMENTS OF DIPLOMATS IMPOSED BY THE MINISTRY'S NOTE ARE IN CONFLICT WITH ARTICLE 26 OF THE VIENNA CONVENTION AS WELL AS WITH ARTICLES 25 AND 27.

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 VIENTI 00368 01 OF 02 231044Z

THE VIENNA CONVENTION IMPOSES UPON THE RECEIVING COUNTRY A STRICT OBLIGATION TO ENSURE FREEDOM OF MOVEMENT IN ITS TERRITORY FOR MEMBERS OF A DIPLOMATIC MISSION. THE ONLY EXCEPTION TO THIS RULE, PHRASED IN CLOSELY-DRAWN LANGUAGE, RELATES TO ZONES ENTRY INTO WHICH IS PROHIBITED FOR REASONS OF NATIONAL SECURITY. IN THE INSTANT CASE, NO NATIONAL SECURITY REASON HAS BEEN CITED BY THE MINISTRY AS THE REASON FOR THE

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 VIENTI 00368 02 OF 02 231041Z  
ACTION EA-12

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-05 H-01  
INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15  
USIA-06 IO-13 OMB-01 CPR-01 /088 W  
-----100644 231048Z /11

P R 230950Z MAR 78  
FM AMEMBASSY VIENTIANE  
TO SECSTATE WASHDC PRIORITY 9135  
INFO AMEMBASSY BANGKOK  
AMCONSUL HONG KONG  
AMEMBASSY PARIS  
AMCONSUL UDORN  
CINCPAC

C O N F I D E N T I A L SECTION 2 OF 2 VIENTIANE 0368

BANGKOK ALSO PASS UDORN ELECTRICALLY

CINCPAC FOR POLAD

BURDENSOME PROCEDURES PROPOSED TO BE APPLIED TO DIPLOMATS. THE NEW RESTRICTIONS THUS LACK LEGITIMACY UNDER INTERNATIONAL LAW AND AMOUNT TO UNREASONABLE DISCRIMINATION AGAINST DIPLOMATS. SUCH TREATMENT WILL UNDOUBTEDLY HAMPER TO A CONSIDERABLE EXTENT THE CAPABILITY OF UNITED STATES DIPLOMATS AND THE UNITED STATES MISSION TO CARRY OUT THEIR LEGITIMATE FUNCTIONS.

IN PARTICULAR, THE MINISTRY'S NEW RESTRICTIONS WILL INTERFERE WITH THE EMBASSY'S NORMAL DIPLOMATIC POUCH FACILITIES. OFFICIAL EMBASSY CORRESPONDENCE WILL HAVE TO BE REROUTED AND CONSEQUENTLY DELAYED. SUCH INTERFERENCE BY THE LAO PEOPLES' DEMOCRATIC REPUBLIC PLACES IT IN VIOLATION OF ARTICLE 27 OF THE VIENNA CONVENTION. THIS ARTICLE OBLIGES THE STATE RECEIVING A DIPLOMATIC MISSION TO PERMIT AND PROTECT FREE COMMUNICATION.

CONFIDENTIAL

PAGE 02 VIENTI 00368 02 OF 02 231041Z

CATION FOR ALL OFFICIAL PURPOSES.

THE RESTRICTIONS IMPOSED BY THE MINISTRY'S NOTE ON THE PERSONAL TRAVEL OF UNITED STATES DIPLOMATS ALSO INHIBITS THEM IN CARRYING OUT MANY OF THE FUNCTIONS LISTED IN ARTICLE 3 OF THE VIENNA CONVENTION. THE LAO PEOPLE'S DEMOCRATIC REPUBLIC IS THUS VIOLATING ITS OBLIGATIONS UNDER ARTICLE 25 OF THE CONVENTION TO ACCORD FULL FACILITIES FOR THE PERFORMANCE OF THE FUNCTIONS OF A DIPLOMATIC MISSION.

THE EMBASSY OF THE UNITED STATES OF AMERICA IS THUS PROTESTING THE TRAVEL RESTRICTIONS ON DIPLOMATS IMPOSED BY THE MINISTRY'S NOTE. THE EMBASSY REQUESTS THE RESTRICTIONS BE REMOVED AND THAT NORMAL ENTRY AND EXIT FACILITIES ACROSS THE MEKONG RIVER TO THAILAND BE REINSTITUTED.

THE EMBASSY OF THE UNITED STATES OF AMERICA TAKES THIS OPPORTUNITY TO RENEW TO THE MINISTRY OF FOREIGN AFFAIRS THE ASSURANCES OF ITS HIGH CONSIDERATION. (END TEXT)  
ROBERTS

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TEXT, DIPLOMATIC PROTESTS, TRAVEL CONTROLS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 23 mar 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978VIENTI00368  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780128-0052  
**Format:** TEL  
**From:** VIENTIANE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780330/aaaaazay.tel  
**Line Count:** 222  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 600b38be-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION EA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 5  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 STATE 72601  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 13 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3219229  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** PROTEST OF LPDR CLOSURE OF MEKONG RIVER CROSSINGS  
**TAGS:** OTRA, PEPR, PDIP, PBOR, LA, US  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/600b38be-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014